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C O N F I D E N T I A L SANAA 001906

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E.O. 12958: DECL: 10/15/2017  
TAGS: PREL PTER KAWC YM  
SUBJECT: FOUR GTMO DETAINEES RELEASED

REF: SANAA 1901

Classified By: CDA Angie Bryan for reasons 1.4(b) and (d)

¶1. (C) Yemeni online news outlets reported on October 9 and 10 that four prisoners who had previously been detained at Guantanamo Bay had been released. According to the pro-government website 26 September.net, the four, Fawaz Noman Hamoud, Ali Muhsen Nasser, Sadiq Mohamed Saeed Ismael and Hani Abdo Musleh Shallan, were released on October 9. They had been held by the Aden based Political Security Service. The report also indicated that the former detainees were released because the security services had completed their "required interrogation." Hoodonline.org, a human rights website, reported on October 9 that the four had been transferred from Guatanamo Bay in June 2007. Post had no prior knowledge that these releases had taken place. However, the ROYG Attorney General's Office confirmed their release on October 10.

¶2. (C) The security sources who confirmed the release of the former detainees to LEGATT noted that the ROYG had done so because they found no prosecutable offense to charge them with. This highlights a long-standing problem with Yemeni counter-terrorism efforts. The lack of an effective counterterrorism law combined with that fact that Yemeni laws do not cover crimes committed outside of the country means that, even when security forces capture terrorists, they are limited in their legal ability to hold them. Yemeni officials report that they are in the process of drafting a new CT law. Post offered USG assistance drafting the law, but the ROYG declined (reftel).

BRYAN